

*J. F.*

# FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

CLANDRUM@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-5674

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

January 18, 2005

## CERTIFICATE OF MAILING 37 C.F.R 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 18, 2005  
Date

  
Charles P. Landrum

## MS AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/701,038 entitled "P153 and P156 Antigens for the Innumodiagnosis of Canine and Human Ehrlichioses and Uses Thereof" – McBride et al.*  
*Our reference: CLFR:235US*  
*Client reference: D6481US*

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references C1-C9.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/CLFR:235US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Charles P. Landrum  
Reg. No. 46,855  
Agent for Applicants

CPL/dr  
Encls.: as noted

Commissioner for Patents

January 18, 2005

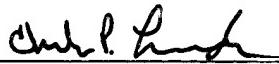
Page 2

bcc: Dudley Dobie, Esq.(w/encl.)  
Jere W. McBride (w/encl.)  
David H. Walker. (w/encl.)  
David L. Parker, Esq. (w/encl.)  
Deborah Hooper (Austin)

CERTIFICATE OF MAILING  
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Charles P. Landrum

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

McBride et al.

Group Art Unit: 1645

Serial No.: 10/701,038

Examiner: Robert A. Zeman

Filed: November 4, 2003

Atty. Dkt. No.: D6481US  
CLFR:235US

For: P153 and P156 Antigens for the  
Immunodiagnosis of Canine and Human  
Ehrlichioses and Uses Thereof

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/CLFR:235US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Charles Landrum  
Reg. No. 46,855  
Agent for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
713-651-5391

Date: January 18, 2005

Form PTO-1449 (modified)		Atty. Docket No. CLFR:23SUS	Serial No. 10/701,038
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant Jere W. McBride David H. Walker	
		Filing Date: November 4, 2003	Group: 1636
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	6,355,777	3/12/02	Walker and McBride	530	350	4/28/00
	A2	6,436,399	8/20/02	Rikihisa and Ohashi	424	139.1	4/08/99
	A3	2002/0120155	8/29/02	Bercovici <i>et al.</i>	549	287	2/28/01
	A4	2002/0132789	9/19/02	Barbet <i>et al.</i>	514	44	1/31/02

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 01/82862	11/08/01	WIPO			English
	B2	WO 98/42846	10/01/98	WIPO			English

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	McBride <i>et al.</i> , "Kinetics of antibody response to <i>Ehrlichia canis</i> immunoreactive proteins," <i>Infection and Immunity</i> , 71(5):2516-2524, 2003.
	C2	McBride <i>et al.</i> , "Molecular cloning of the gene for a conserved major immunoreactive 28-kilodalton protein of <i>Ehrlichia canis</i> : a potential serodiagnostic antigen," <i>Clin Diag Lab Immunol</i> , 6(3):392-399, 1999.
	C3	McBride <i>et al.</i> , "Immunodiagnosis of <i>Ehrlichia canis</i> infection with recombinant proteins," <i>J. Clin Microbiol</i> , 39(1):315-322, 2001.
	C4	McBride <i>et al.</i> , "Identification and functional analysis of an immunoreactive DspA-like thio-disulfide oxidoreductase of <i>Ehrlichia</i> spp.," <i>Infect Immun</i> , 70(5):2700-2703, 2002.
	C5	Storey <i>et al.</i> , "Molecular cloning and sequencing of three granulocytic <i>Ehrlichia</i> genes encoding high-molecular-weight immunoreactive proteins," <i>Infect Immun</i> , 66(4):1356-1363, 1998.
	C6	Unver <i>et al.</i> , "Transcriptional analysis of p30 major outer membrane multigene family of <i>Ehrlichia canis</i> in dogs, ticks, and cell culture at different temperatures," <i>Infect Immun</i> , 69(10):6172-6178, 2001.

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EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)		Atty. Docket No. CLFR:235US	Serial No. 10/701,038
<b>List of Patents and Publications for Applicant's</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <small>(Use several sheets if necessary)</small>		<b>Applicant</b> Jere W. McBride David H. Walker	
		Filing Date: November 4, 2003	Group: 1636
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### **Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C7	Yu <i>et al.</i> , "Comparison of <i>Ehrlichia chaffeensis</i> recombinant proteins for serologic diagnosis of human monocytic <i>Ehrlichiosis</i> ," <i>Clin Microbiol</i> , 37(8):2568-2575, 1999.
	C8	Yu <i>et al.</i> , "Molecular cloning and characterization of the 120-kilodalton protein gene of <i>Ehrlichia canis</i> and application of the recombinant 120-kilodalton protein for serodiagnosis of canine <i>Ehrlichiosis</i> ," <i>J Clin Microbiol</i> , 38(1):369-374, 2000.
	C9	Yu <i>et al.</i> , "Cloning and sequencing of the gene for a 120-kDa immunodominant protein of <i>Ehrlichia chaffeensis</i> ," <i>Gene</i> , 184(2):149-154, 1997.

25478434.1

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